



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Busse *et al.*

Appl. No.: 09/675,650

Filed: September 29, 2000

For: **PCA3 Messenger RNA Species in
Benign and Malignant Prostate
Tissues**

Confirmation No.: 1706

Art Unit: 1642

Examiner: Yu, Misook

Atty. Docket: 1619.0080001/JAG/CMB

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Small Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated July 17, 2006, in which claims 6 and 9 were finally or twice rejected.

The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: December 18, 2006

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